

FORM PTO-1300  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

KEL01-P111

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/856445

INTERNATIONAL APPLICATION NO.  
PCT/EP99/09146

INTERNATIONAL FILING DATE  
November 22, 1999

PRIORITY DATE CLAIMED  
November 21, 1998

TITLE OF INVENTION

A THERMOREVERSIBLE FOOD PRODUCT

APPLICANT(S) FOR DO/EO/US

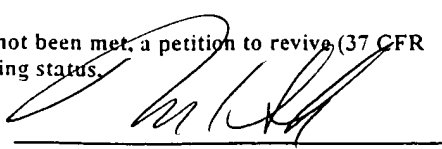
Elizabeth Devine and Conor Ward

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. <b>09/856445</b>		INTERNATIONAL APPLICATION NO. PCT/EP99/09146		ATTORNEY'S DOCKET NUMBER KEK01-P111				
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1000.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>				
				\$ 860.00				
				Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
				Total claims	20 - 20 =	-0-	x \$18.00	\$
Independent claims	2 - 3 =	-0-	x \$80.00	\$				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$270.00	\$			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$				
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 430.00				
<b>SUBTOTAL =</b>				\$				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$				
<b>TOTAL NATIONAL FEE =</b>				\$				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$				
<b>TOTAL FEES ENCLOSED =</b>				\$ 430.00				
				Amount to be refunded:	\$			
				charged:	\$			
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>430.00</u> to cover the above fees is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>22-0190</u> . A duplicate copy of this sheet is enclosed.  d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.								
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.								
SEND ALL CORRESPONDENCE TO: Matthew L. Goska Van Dyke, Gardner, Linn & Burkhart, LLP 2851 Charlevoix Drive, S.E. Suite 207 Grand Rapids, MI 49546  Telephone: 616-975-5500								
				 SIGNATURE				
				Matthew L. Goska NAME				
				42 594 REGISTRATION NUMBER				

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : ELIZABETH DEVINE and CONOR WARD

For : A THERMOREVERSIBLE FOOD PRODUCT

BOX PATENT APPLICATION  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

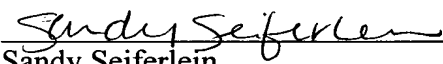
Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I certify that the attached return postcard; check in the amount of \$430 (filing fee; Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371; Patent Application Bibliographic Data Sheet (2 pages); Patent Application (20 pages of written description; 3 pages of claims (11 claims)); Preliminary Amendment (5 pages); Information Disclosure Statement; PTO Form 1449 and copies of information referenced are being deposited with the United States Postal Service via Express Mail in an envelope having Mailing Label Number EL846001905US addressed to:

BOX PATENT APPLICATION  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

on May 21, 2001.

  
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MLG:ss